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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/827,251	04/20/2004	Naoyuki Morita	Q80782	2533
23373 7590 08/30/2007 SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			EXAMINER CHAN, SING P	
			ART UNIT 1734	PAPER NUMBER
			MAIL DATE 08/30/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/827,251	Applicant(s) MORITA ET AL.	
	Examiner Sing P. Chan	Art Unit 1734	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-8,10-15 and 17-22 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,3-8,10-15 and 17-22 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 4, 8, and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Melton (U.S. 5,230,501).

Regarding claims 1, 4, and 10, Melton discloses an apparatus for processing printed web. The apparatus includes idler rollers, driven rollers, compensator rollers and angle bar ribbon shifters for leading web along one or more serpentine paths with the indicia sequentially distributed on the web. The web is wrapped around idler rollers and passes into a nip formed by a driven slitter roller and a slitter knife, slit the web lengthwise into first, second, and third ribbons (Col 4, lines 47-67), the first and third ribbons are guided into respective angle bar ribbon shifter, which move the webs left and right in an orthogonal direction (See Figure 3), to associate them, the compensator rollers lengthen and shorten the alignment travel distance of the ribbons, a strip of glue is applied medially to the third ribbon from a glue tank, the third ribbon proceeds to superimposed registration with aligned first ribbon at a nip defined by a driven roller (Col 5, lines 2-26), and the ribbons are aligned in a register aligned prior to jointing with the other ribbon and therefore, the examiner is taking the position the apparatus align all the edges of the webs including the side edges. Furthermore, Melton shows the ribbons are bonded back to back when the ribbon are travel though the angle bar ribbon shifter

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(See Figure 3) and the recitation of photographic prints is considered to be intended used in an apparatus claim and the requirement is satisfied if the apparatus is capable of operating on the material.

Regarding claim 8, Melton discloses the ribbons are bonded together using a nip formed by driven roller and an idler roller. (Col 5, lines 19-22)

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3 and 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Melton (U.S. 5,230,501) as applied to claims 1 and 4 above, and further in view of Schneider et al (U.S. 2003/0221568).

Melton as disclosed above is silent as to the distributing device includes transfer belts. However, using either rollers or transfer belt to convey sheet or web material is well known and conventional as shown for example by Schneider et al. Schneider et al discloses an apparatus for printing. The apparatus includes cylinders with conveyor belt, which allow web or sheets printable matter can be placed. (Paragraph 17)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide either cylinders or roller or conveyor belt as disclosed by Schneider et al in the apparatus of Melton to allow either web or sheet printable matter to be handle. (See Schneider et al, Paragraph 17)

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Regarding claim 7, Melton discloses the ribbons are bonded together using a nip formed by driven roller and an idler roller. (Col 5, lines 19-22)

5. Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Melton (U.S. 5,230,501) as applied to claims 1 and 4 above, and further in view of Koyama (U.S. 6,048,152).

Melton as disclosed above is silent as to the apparatus includes stacking units. However, providing stacking unit for a pair of bonded sheets is well known and conventional as shown for example by Koyama. Koyama discloses an apparatus for book binding. The apparatus includes a piling mechanism with rollers, a lower endless belt and a pair of upper endless belt with a stopper protrude upward from the side edge of the lower belt to provide alignment for the stacking of the sheets. (Col 5, lines 43-61) Furthermore, the Koyama does show the webs and sheets are aligned prior to bonding (Col 4, lines 31-38 and Figures 2-10)

It would have been obvious to one of ordinary skill in the art at the time the invention was made provide stacking unit for bonded sheets as disclosed by Koyama in the apparatus of Melton to provide an apparatus for bonding sheets together without using metal wire or metal staple, which may hurt the user. (See Koyama, Col 1, lines 26-30)

6. Claims 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Melton (U.S. 5,230,501) as applied to claims 1 and 4 above, and further in view of

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Koyama (U.S. 6,048,152) as applied to claim 12 above, and further in view of Schneider et al (U.S. 2003/0221568).

Regarding claims 13 and 14, Melton as disclosed above is silent as to the distributing device includes transfer belts. However, using either rollers or transfer belt to convey sheet or web material is well known and conventional as shown for example by Schneider et al. Schneider et al discloses an apparatus for printing. The apparatus includes cylinders with conveyor belt, which allow web or sheets printable matter can be placed. (Paragraph 17)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide either cylinders or roller or conveyor belt as disclosed by Schneider et al in the apparatus of Melton to allow either web or sheet printable matter to be handle. (See Schneider et al, Paragraph 17)

Regarding claim 15, Melton discloses the third ribbon proceeds to superimposed registration with aligned first ribbon at a nip defined by a driven roller (Col 5, lines 2-26), Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Melton (U.S. 5,230,501) in view of Koyama (U.S. 6,048,152).

Melton discloses an apparatus for processing printed web. The apparatus includes idler rollers, driven rollers, compensator rollers and angle bar ribbon shifters for leading web along one or more serpentine paths with the indicia sequentially distributed on the web. The web is wrapped around idler rollers and passes into a nip formed by a driven slitter roller and a slitter knife, slit the web lengthwise into first, second, and third ribbons (Col 4, lines 47-67), the first and third ribbons are guided into respective angle

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bar ribbon shifter, which move the webs left and right in an orthogonal direction (See Figure 3), to associate them, the compensator rollers lengthen and shorten the alignment travel distance of the ribbons, a strip of glue is applied medially to the third ribbon from a glue tank, the third ribbon proceeds to superimposed registration with aligned first ribbon at a nip defined by a driven roller (Col 5, lines 2-26), and the ribbons are aligned in a register aligned prior to jointing with the other ribbon and therefore, the examiner is taking the position the apparatus align all the edges of the webs including the side edges. Furthermore, Melton shows the ribbons are bonded back to back when the ribbon are travel though the angle bar ribbon shifter (See Figure 3) and the recitation of photographic prints is considered to be intended used in an apparatus claim and the requirement is satisfied if the apparatus is capable of operating on the material. Melton as disclosed above is silent as to the apparatus includes stacking units. However, providing stacking unit for a pair of bonded sheets is well known and conventional as shown for example by Koyama. Koyama discloses an apparatus for book binding. The apparatus includes a piling mechanism with rollers, a lower endless belt and a pair of upper endless belt with a stopper protrude upward form the side edge of the lower belt to provide alignment for the stacking of the sheets. (Col 5, lines 43-61) Furthermore, the Koyama does show the webs and sheets are aligned prior to bonding (Col 4, lines 31-38 and Figures 2-10)

It would have been obvious to one of ordinary skill in the art at the time the invention was made provide stacking unit for bonded sheets as disclosed by Koyama in the apparatus of Melton to provide an apparatus for bonding sheets together without

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using metal wire or metal staple, which may hurt the user. (See Koyama, Col 1, lines 26-30)

7. Claims 18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Melton (U.S. 5,230,501) as applied to claims 1 and 4 above, and further in view of Tsuchiya (U.S. 5,378,588) and Saotome et al (U.S. 5,307,105).

Melton as disclosed above is silent as to the apparatus includes a photographic printer and controlling the drying the temperature to prevent curl. However, providing a photographic printer is well known and conventional as shown for example by Tsuchiya. Tsuchiya discloses a photographic printer with the option of conveying the light sensitive material in cut state or sheet or in web roll state, which allow for the used of autoprocessor. (Col 33, lines 6-30)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a photographic printer for an autoprocessor as disclosed by Tsuchiya in the apparatus of Melton to raise the processing efficiency. (See Tsuchiya, Col 33, lines 11-15) Melton as modified above is silent as to control the dry temperature to prevent curling. However, controlling the drying temperature to prevent curling in a photographic printer is well known and conventional as shown for example by Saotome et al. Saotome et al discloses a drying device for photographic material. The apparatus includes controller for controlling the amount of heat varying means or temperature of the film (Col 5, lines 55-68)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a controller to control the temperature of the

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photographic material as disclosed by Sautome et al in the apparatus of Melton as modified by combination of references to prevent problem with gloss and non-uniformity, and curling. (See Sautome et al, Col 7, lines 20-25)

8. Claims 19, 21, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Melton (U.S. 5,230,501) in view of Koyama (U.S. 6,048,152) as applied to claims 11, 12, and 17 above, and further in view of Tsuchiya (U.S. 5,378,588) and Sautome et al (U.S. 5,307,105).

Melton as modified above is silent as to the apparatus includes a photographic printer and controlling the drying the temperature to prevent curl. However, providing a photographic printer is well known and conventional as shown for example by Tsuchiya. Tsuchiya discloses a photographic printer with the option of conveying the light sensitive material in cut state or sheet or in web roll state, which allow for the used of autoprocessor. (Col 33, lines 6-30)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a photographic printer for an autoprcessor as disclosed by Tsuchiya in the apparatus of Melton to raise the processing efficiency. (See Tsuchiya, Col 33, lines 11-15) Melton as modified above is silent as to control the dry temperature to prevent curling. However, controlling the drying temperature to prevent curling in a photographic printer is well known and conventional as shown for example by Sautome et al. Sautome et al discloses a drying device for photographic material. The apparatus includes controller for controlling the amount of heat varying means or temperature of the film (Col 5, lines 55-68)

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a controller to control the temperature of the photographic material as disclosed by Sautome et al in the apparatus of Melton as modified by combination of references to prevent problem with gloss and non-uniformity, and curling. (See Sautome et al, Col 7, lines 20-25)

Response to Arguments

9. Applicant's arguments filed July 13, 2007 have been fully considered but they are not persuasive.

10. In response to applicant's argument of Melton does not teach or suggest a side edge aligning unit, the examiner disagrees, since the claims only required an edge aligning unit and do not recite any physical limitation to define the unit, therefore any well known and conventional aligning unit can be used and Melton does recite the ribbons are aligned and superimposed registration with aligned ribbon at a nip (Col 5, lines 6-22), which inherently require an alignment unit to make the alignment of the ribbons. Therefore, Melton does disclose the instant invention.

Conclusion

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

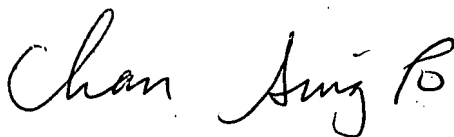
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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sing P. Chan whose telephone number is 571-272-1225. The examiner can normally be reached on Monday-Thursday 7:30AM-11:00AM and 12:00PM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Philip C. Tucker can be reached on 571-272-1095. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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